

Express Mail Label No.: EV 627307238US  
 Date of Deposit: March 24, 2005

Attorney Docket Number: 28069-603 NATL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS :	Ubaldo CONTE, <i>et al.</i>		
SERIAL NUMBER :	10/507,345	EXAMINER:	Not Yet Assigned
FILING DATE:	September 10, 2004	ART UNIT:	Not Yet Assigned
INTERNATIONAL APPLICATION NUMBER:	PCT/EP03/02537	CONFIRMATION NO:	3809
INTERNATIONAL FILING DATE:	03/12/2003	CUSTOMER NO:	35437
FOR :	<b>A SYSTEM FOR THE CONTROLLED RELEASE OF ACTIVE INGREDIENTS</b>		

**MAIL STOP PCT**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

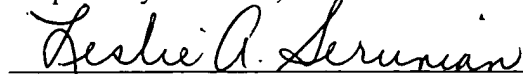
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification of Missing Requirements Under 35 U.S.C. §371 dated February 18, 2005, Applicants submit herewith an executed Combined Declaration and Power of Attorney for Patent Application (one counterpart, 3 pages); Check No. 2536 in the amount of \$130.00 (Large Entity) in payment of the filing fee surcharge therefor; and a copy of the Notification of Missing Requirements under U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US), Form PCT/DO/EO/905.

Applicants note that the Notification of Missing Requirements Under 35 U.S.C. § 371 dated February 18, 2005, incorrectly identifies the first named applicant as "Ag Jagotec". However, the first named applicant should be: "**Ubaldo Conte**", which is stated on the enclosed executed Combined Declaration and Power of Attorney document. Applicants respectfully request that all future PTO Communications list Ubaldo Conte as the first named applicant.

Please charge any underpayments or credit any overpayments that are properly assessable in this application to Deposit Account No. **50-0311**, Ref. No. **28069-603 NATL**, Customer Number **35437**.

Respectfully submitted,



Leslie A. Serunian, Reg. No. 35,353  
 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY  
 AND POPEO, P.C.

The Chrysler Center  
 666 Third Avenue, 24<sup>th</sup> Floor  
 New York, NY 10017  
 Telephone: (212) 935-3000; Facsimile: (212) 983-3115

Date: March 24, 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,345	Ag Jagotec	28069-603 NATL

INTERNATIONAL APPLICATION NO.
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PCT/EP03/02537

Mintz Levin Cohn Ferris Glovsky and Popeo  
 666 Third Avenue  
 New York, NY 10017

I.A. FILING DATE	PRIORITY DATE
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03/12/2003

03/12/2002

CONFIRMATION NO. 3809

371 FORMALITIES LETTER



\*OC000000015189189\*

Date Mailed: 02/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/10/2004
- Copy of the International Search Report filed on 09/10/2004
- Request for Immediate Examination filed on 09/10/2004
- Copy of references cited in ISR filed on 09/10/2004
- U.S. Basic National Fees filed on 09/10/2004
- Priority Documents filed on 09/10/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,345	PCT/EP03/02537	28069-603 NATL

FORM PCT/DO/EO/905 (371 Formalities Notice)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Ubaldo CONTE, *et al.*

SERIAL NUMBER : 10/507,345 EXAMINER: Not Yet Assigned

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FOR : **A SYSTEM FOR THE CONTROLLED RELEASE OF ACTIVE INGREDIENTS**

**Mail Stop PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL TRANSMITTAL**

Date of Deposit: **March 24, 2005**

I hereby certify that the documents and fee(s) listed below are being deposited with the United States Patent and Trademark Office as Express Mail bearing Express Mail Label No. **EV 627307238US** under 37 C.F.R. §1.10 in an envelope with prepaid postage on the date indicated above and addressed to **Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the U.S. Designated/Elected Office (DO/EO/US) [1 pg.];
2. Copy of the Notification of Missing Requirements [2 pgs.];
3. Executed Combined Declaration and Power of Attorney for Patent Application [one counterpart, 3 pages];
4. Check No. 2536 in the amount of \$130.00; and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York. The Director is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. **50-0311**, Reference No. **28069-603 NATL**, Customer No. **35437**.

Signature: \_\_\_\_\_

*Leslie A. Serunian*

Printed Name: Leslie A. Serunian

Dated: March 24, 2005

*Leslie A. Serunian*

Leslie A. Serunian, Reg. No. 35,353

MINTZ LEVIN COHEN FERRIS

GLOVSKY and POPEO, P.C.

The Chrysler Center, 666 Third Avenue, 24<sup>th</sup> Floor  
New York, NY 10017

Telephone: (212) 935-3000

Facsimile: (212) 983-3115